

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
GAINESVILLE DIVISION**

|                                       |   |                   |
|---------------------------------------|---|-------------------|
| MAGDALENE BERRY, and                  | ) |                   |
| NATASHA WILLIAMS, individually        | ) |                   |
| and on behalf of all others similarly | ) |                   |
| situated,                             | ) |                   |
|                                       | ) |                   |
| Plaintiffs,                           | ) | Civil Action No.  |
|                                       | ) | 2:24-cv-00085-RWS |
| v.                                    | ) |                   |
|                                       | ) |                   |
| RYZE CLAIM SOLUTIONS LLC,             | ) |                   |
|                                       | ) |                   |
| Defendant.                            | ) |                   |

**JOINT MOTION TO STAY THE  
PROCEEDINGS PENDING ARBITRATION**

Pursuant to the Federal Arbitration Act, 9 U.S.C. § 1 et seq., Plaintiffs Magdalene Berry and Natasha Williams (“Plaintiffs”) and Defendant Ryze Claim Solutions LLC (“Defendant” or “Ryze”) (collectively, the “Parties”) move the Court to enter an Order staying all further proceedings in this action pending the completion of arbitration. In support of this motion, the Parties state as follows:

1. On or about March 22, 2023, Plaintiff Natasha Williams entered into a Mutual Arbitration Agreement with Defendant, a copy of which is attached hereto as **Exhibit A**.

2. On or about July 12, 2023, Plaintiff Magdalene Berry entered into a Mutual Arbitration Agreement with Defendant, a copy of which is attached hereto as **Exhibit B**.

3. On or about April 26, 2024, Plaintiffs filed their FLSA Section 216B Collective Action Complaint for Overtime Wages against Defendant.

4. On or about April 30, 2024, a Notice of Filing Consent to Join Collective Action was filed for Marquita Moore. Ms. Moore is also subject to a Mutual Arbitration Agreement with Defendant, a copy of which is attached hereto as **Exhibit C**.

5. On or about May 14, 2024, a Notice of Filing Consent to Join Collective Action was filed for Beatriz Chils. Ms. Chils is also subject to a Mutual Arbitration Agreement with Defendant, a copy of which is attached hereto as **Exhibit D**.

6. On or about May 17, 2024, a Notice of Filing Consent to Join Collective Action was filed for Elijah Tyree. Mr. Tyree is also subject to a Mutual Arbitration Agreement with Defendant, a copy of which is attached hereto as **Exhibit E**.

7. Pursuant to the Arbitration Agreements, the Parties have agreed that all disputes related to Plaintiffs' employment relationship with Defendant, including their federal statutory claims, shall be settled by binding arbitration.

8. The Mutual Arbitration Agreements are subject to the Federal Arbitration Act ("FAA"), and Section 3 of the FAA, 9 U.S.C. § 3, requires a stay of

all further proceedings pending the submission of Plaintiffs' claims to arbitration. *Smith v. Spizzirri*, 144 S. Ct. 1173, 1178 (2024) ("When a district court finds that a lawsuit involves an arbitrable dispute, and a party requests a stay pending arbitration, § 3 of the FAA compels the court to stay the proceeding.").

Accordingly, the Parties respectfully request that the Court grant this Joint Motion and enter an Order staying all further proceedings in this action pending the completion of arbitration.

Respectfully submitted, this 14th day of June, 2024.

Prepared by:

/s/ Stanford G. Wilson

Stanford G. Wilson

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*Attorneys for Defendant*

Consented to by:

/s/ Mitchell L. Feldman

Mitchell L. Feldman

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| Defendant.                            | ) |                   |

**CERTIFICATE OF SERVICE**

I hereby certify that on June 14, 2024, I electronically filed the foregoing **JOINT MOTION TO STAY THE PROCEEDINGS PENDING ARBITRATION** with the Clerk of the Court using the CM/ECF system which will automatically send email notification of such filing, constituting service, to all attorneys of record.

Respectfully submitted this 14th day of June, 2024.

s/ Brent D. Wasser  
Brent D. Wasser  
Georgia Bar No. 371372